



MEDICAL BOARD OF CALIFORNIA
 BOARD OF PODIATRIC MEDICINE
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INFORMATION ON AMPUTATIONS

Section 2472 of the Medical Practice Act defines the scope of practice for a licensed Doctor of Podiatric Medicine (DPM) and states, "No podiatrist shall do any amputation."

Since at least 1983, the Board of Podiatric Medicine (BPM) has interpreted §2472's use of the term "amputation" to mean amputation in the foot in toto. In the opinion of the board, surgical debridement with plastic repairs and/or reconstruction of diseased, traumatized and/or devitalized, nonviable or necrotic tissue has been and continues to be the standard of treatment for these disease processes.

This position has never been challenged in the courts. In response to inquiries generated from professional associations, the Attorney General's Office researched the matter. Chief Assistant Attorney General Richard D. Martland, in a July 2, 1987 letter to Senator Herschel Rosenthal, opined: "the most that can be said is that the term 'amputation' has no settled meaning. In the absence of a definitive judicial ruling, the Board of Podiatric Medicine's interpretation is not unreasonable."

Consulting its Liaison Deputy Attorney General in 1993, BPM was advised that in malpractice litigation, the question of whether partial amputation is within scope for a licensed DPM would be a matter of law upon which the judge would instruct the jury, and a judge would defer to BPM's interpretation. The scope issue would not be decided by a jury.

Staff Counsel for the Medical Board and Board of Podiatric Medicine, also in 1993 during preparation of this fact sheet, expressed concurrence with the above opinions, stating that "amputation" is not a legal term but a medical or lay term referring to many different types of procedures.

Hospitals are advised to privilege DPMs using the same policies and procedures used for other doctors. Within statutory scope of practice, privileges should be based upon documented training and competence. For more information, please request copies of BPM's Information for Health Facilities.

The 1994-95 Department of Consumer Affairs Annual Report commented: "The board encouraged the podiatric and orthopaedic associations to work out a compromise on hospital privileging for partial amputations of the foot. Podiatrists are recognized by many hospitals as the experts in care and preservation of the diabetic foot, as well as removal of dead tissue when necessary. But a 1921 statute prohibiting amputations by podiatrists is still on the books."

BPM Information & Enforcement Action



(916) 263-2647..... for direct access to BPM's licensing and enforcement coordinators



1-800-MED-BDCA..... to file complaints about doctors



(916) 263-2382..... to verify license/disciplinary records, or check the Internet at [www2.dca.ca.gov/pls/wllpub/wllquery\\$.startup](http://www2.dca.ca.gov/pls/wllpub/wllquery$.startup)